

1.13.14 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission January 13, 2014

Present Chair Steven Turner, Vice Chair Debra Botellio, Commissioners Ernest Enos, Renwick Chapman, Louis Freitas, Neil Kelly, and Marla Isaac.

Eagle Scout Project

Building of a dock at Boyden. Project was presented to TCC and approval was granted. TCC asked that they be kept up to date on the project progression. Motion to accept the Eagle Scout project as presented, NK, second MI, so voted.

Motion to revert to the regular order of business, MI, second NK, so voted.

Motion to approve the minutes of the December meeting, RC, second NK, so voted.

Continued Certificate of Compliance

1. Pioneer Way, Taunton Development/Mass Development Corporation, (COC), SE73-3524 Motion to continue to February 10, 2014, NK, second MI, so voted.

Public Meeting

1. Court Street, City of Taunton/Water Division, (RDA), DSE1064 Field report states that this project proposal is for the City's 2014 Water Mains Improvement Project which will occur on the following streets: Presbrey Court, Broadway, Crapo Street, Fourth Street, Court Street, Kilmer Avenue, Fern Street, Foss Avenue, Columbus Boulevard, Smith Avenue, and High Street. Presbrey Court, Crapo Street, Fern Street, Foss Avenue, Columbus Boulevard, and Smith Avenue are outside jurisdiction. Work to replace existing water mains with the same diameter pipe and within the existing trench within Broadway and Crapo Street are exempt from review under CMR 10.02(2)(a)2. The project includes replacing approximately 10,000 linear feet of existing 6 inch, 8 inch, and 12 inch diameter cast iron (CI) and asbestos concrete (AC) water mains with new 8 inch ductile iron (DI) water mains. The work will occur within existing roadways and will not be within any wetland resource areas.

Some of the work will result in temporary alteration to the BLSF, Riverfront Area, 100 foot buffer zone to BVW and Inland Bank, and the 25 foot WPZ. Siltation barriers will be placed at the limits of work in these areas. All disturbed areas will be returned to pre-construction conditions and roadways will be repaved. If dewatering is required, the water will be discharged to a pre-determined upland area and filtered/treated in a geotextile filter prior to discharge. Stockpiles will be surrounded by silt fence of straw bales to prevent sedimentation to resource areas. Storm drains will be protected to prevent sediment from entering the system. The wetlands within the project area were delineated by CDM Smith on 11-6-13. The resource areas delineated include:

-Inland Bank- Kilmer Ave. tributary to Cobb Brook flags 2-1 through 2-4 and 3-1 through 304; Cobb Brook at Kilmer Ave and Bliss Street flags 4-1 to 4-4 and 5-1 to 5-4; Washington St. and Court Street Mill River flags 7-1, 7-2, 8-1, and 8-2.

-BVW-Broadway flags 1-1 to 1-25 and flags 3-1 to 3-4; east of Broadway at the City line flags 2-1 Through 2-7; Highland Ave flags 6-1 to 6-9.

-BLSF-Mill River at Court and Washington Flood Zone is at elevation 23; Kilmer Ave flood zone is at elevation 33; Taunton River at Fourth Street flood zone is elevation 12.

-Riverfront Area-Mill River and Cobb Brook. Downtown Taunton is considered a Densely Developed Area with a Riverfront Area of 25 feet. This applies to the crossing at Washington and Court. The Cobb Brook along Kilmer Ave. has a 200 foot Riverfront Area.

The work as proposed will create a temporary disturbance to buffer zones which will be returned to pre-construction conditions. The work will improve water transport and water quality as well as fire protection to the project areas. MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. Present Ben Levesque from CDM Smith. ST asked when they are looking to start work? It will go out to bid, should be able to start by May. RC said some areas are not in TCC jurisdiction but he would like to see silt sacks in all of the catch basins. Ben said he will add a note to clarify where they should be placed. RC mentioned Broadway too. RC also asked if they symbol for the wetland and the silt fence are the same? It is the wetland line that he is referring to. RC stated as you move along Broadway between 5 & 6, that culvert at 5 should have a silt sack, easterly side across from station 5 suggest a silt sack or wattles and extend it up around 50-75 feet more. Agreed by all so far. RC at Court Street intersection at Washington and Court, on the southerly side of Court curbing along the street side put wattles, it might be helpful. RC north side of intersection, look there too, silt sacks at the catch basin there. RC wattles on the north side of Kilmer, silt sacks at the two catch basins. NK said it does say in general notes that all catch basins will have silt sacks. RC asked they just make reference on the plan. RC Columbus Blvd erosion control along edge of pavement, Smith Ave catch basins need silt sacks. Motion to issue a negative determination with conditions 1, 2, 3, 4, 5, 6, 7, 8, 12, 14, 18, and 19, and with comments made above, RC, second DB, so voted.

Amendments

1. 19 Ingell Street, Jacobson, (AMEND), SE73-2479 Field report states that this filing was originally for the removal and re-positioning of the existing driveway, moving the existing shed from the rear of the house to the northerly part of the lot, installing a low pressure environmental/one grinder pump chamber with connection to municipal sewer, invasive species (Japanese knotweed) management, and re-grading of a portion of the lot. This lot is outside the 200 foot riverfront areas of the Mill and Taunton Rivers, but is within the floodplain as designated by the FIRM map.

The Applicant has filed an Amendment to the Order of Conditions to now raze the existing house and shed in addition to the above except for moving the shed. MR originally noted that "the shed is in rough shape and may or may not transfer to the other part of the property easily. The Applicant may need to invest in a new shed and so this contingency should be covered under the Notice of Intent." It should be noted that the

following conditions must remain: the Applicant must show that this land does not play a role in flood abatement and will not negatively impact the property to the north. Work should not exacerbate flooding of adjacent lands, and the invasive species management must only be done by mechanical means and not using herbicides because of the wetlands, proximity to the rivers, and location within the floodplain. The additional work proposed is outside the flood zone. MR recommends that the TCC approve the Amendment to include the original General and Special Conditions as well as the above recommendations. Motion to open, RC, second NK, so voted. Present John Desousa. The house is in shambles, client wants to eliminate risk of anyone getting hurt or breaking in. Wants to raze house and shed. ST asked when? 2 months, just after spring starts. RC grading shows proposed contour? In yet? Yes already put in under the other Order of Conditions. When does the Order of Conditions expire? August 2014. They can ask to continue if they are not done by then. Contact MR once the house is razed. Motion to accept the amendment, DB, second MI, so voted. All conditions need to remain the same.

(RC out)

Continued Public Hearing

1. 441 Winthrop Street, Hardy, Partner/BlueWave Capital, LLC, (ANRAD), SE73-2563 Field report states that this project is for the replacement of the existing Harris Street pump station with a new pump station adjacent to the existing Water Works building. The new construction will consist of a new 40' x 54' building; fuel storage tank atop an 8' x 14' concrete pad; a new driveway to the existing pump station; installation of 221 lf of 24" diameter ductile iron water main connections from the gravity water main in Harris Street; relocation of approximately 163 lf of existing pressure sewer; improved site lighting; and improved storm water management. The site will be to the west of the existing pumping station, in the front of the property within a lawn area and within the Riverfront Area of the Taunton River. The TOB was delineated by CDM on 11-6-13 using blue flags TOB1-1 through TOB 1-11. The site consists of Inland Bank, BLSF, and Riverfront. The limit of the Bank is along the wetland flag delineation and is very steep. The 100 year floodplain borders the parcel at elevation 12 and no work is proposed within this area. Construction of the new pumping station will result in 3,495 sq ft of permanent alteration to the Riverfront Area and 70 sq ft of permanent alteration to the 100 foot buffer zone. Temporary alterations include 5,623 sq ft to the Riverfront Area and 210 sq ft of 100 foot Buffer Zone. A siltation barrier has been depicted on the plan in order to prevent sediment from traveling towards the river during construction. A staging area will be located within the cul-de-sac and will have a siltation barrier installed. Temporary alterations involving the installation of pipes include trenching and use of heavy equipment. The trenches will be backfilled and returned to pre-construction grade and surface composition. The building will result in permanent alteration to the riverfront and buffer zone. The remaining areas will be restored to preconstruction conditions and seeded with lawn seed mixture. The proposed work will not result in negative impacts to the resource areas discussed above, in fact, it will result in improved storm water management and upgrade to the current 138 year old water pumping system. This project qualifies as a Limited project under 320 CMR 10.53(3)(d). MR recommends that the TCC approve the delineation as follows: TOB 1-5 through TOB 1-8, with flags TOB 1-1 to TOB 1-4 and flags TOB 1-9 to TOB 1-11 for reference purposes only. MR also recommends that the TCC approve the project and issue an order of conditions to include the attached special conditions. Present Rich Riccio, Branden, and Aiden Foley from Blue Wave Capital. Branden stated they can issue an enforcement order for this. They can request timelines when NOI is submitted, can then condition work with specific timelines. Unauthorized stream crossing is one issue, riverfront work-restoration areas none were started, never mind finished. Branden recommends that issues are addressed from previous work. To revisit and correct them. Rich Riccio said he will follow through to address all of the issues discussed tonight, working with MR and going on Branden's recommendations. Motion to accept the recommendations and issue an ORAD, address the violation from years ago, NK, second LF, so voted.

(RC back)
Public Hearing

1. 170 Harris Street, City of Taunton/Water Division, (NOI), SE73-2566 Motion to open, DB, second MI, so voted. Ben Levesque from CDM Smith present. RC on plan erosion control, silt fence follows along the existing pavement. Where does it end up, to existing double catch basins or past that? Ben explained, RC agreed it was fine. RC asked about the process of blowing off the manhole on the design the drawing from main line is 16 inches, then 12 inches, then to 6. When they blow off the line, what is the exact procedure? They use it to dechlorinate, so that's the purpose. To do the testing, it needs to be dechlorinated before discharging. There will be a discharge tank to dechlorinate then eventually it will go into the Taunton River. RC asked if a note can be added requiring that to minimize issues from erosion during discharge that protection be there. Ben said he will add it more clearly in notes but that someone will always be there onsite. Add it to conditions with inspection by MR. RC would also like a detail of the dechlorination tank and someone to come in to explain it to TCC. RC at new catch basin construction where shut off valve is, put silt sacks there, especially where loaming and seeding there. Motion to approve with conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 19, 21, 25, 26, 27, 28, 29, RC, second DB, so voted. Abutter: Wayne Farley of 52 Duffy Drive. He was concerned with the footprint but is ok with it after seeing it tonight. In his backyard there is nothing going on there but that's why he is here. There are no boundaries where the line runs behind his house. It is wide open to the area and looks awful. He has worked with Marilyn but it is a mess there. ST asked if TCC could speak with Marilyn Green from Parks and Rec to ask that she work with Mr. Farley. Motion to close, DB, second MI, so voted.

Other Business

1. 450 Winthrop Street, Brian Butler Oxbow Assoc. Brendan Loftus and Brian Butler present. The owner received his sewer betterment bill. It is for over \$200,000.00, based on the land size. The issue is that this bill is for a large amount of money that the owner will have difficulty coming up with for land he cannot ever use. It is all wetlands behind his business and will never be buildable land. The request is that the TCC could help him out by writing a letter to the sewer department stating that this land is not buildable. Motion to have TCC do an administrative letter stating that the land out behind the business is not buildable with a plan and explanation, have the property owner come back to TCC so we have a file on this regarding what was approved upon, have MR go out there to check the line, DB, second MI, so voted.

2. Arthur Bent Award. Motion to give G. Lopes Co. the award and move Beth Lambert to the next year, DB, second MI, so voted.

Motion to adjourn, DB, second RC, so voted. Meeting ended at 8:20 p.m.